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KAMALA D. HARRIS
Attorney General of California
LOUIS M. VASQUEZ
Supervising Deputy Attorney General
LEANNE LE MON
Deputy Attorney General
State Bar No. 215005
2550 Mariposa Mall, Room 5090
Fresno, CA 93721
Attorneys for People

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF FRESNO

PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

v.

SHELDON KYLE SCARBER
DOB: 10/31/1963,

Defendant,

GAIL LYNNE SCARBER
DOB: 5/16/1961

Defendant,

CRYSTAL DIANE REYNOSO
DOB: 4/27/1979

Defendant.

Court Case No. - **13902430**
FELONY COMPLAINT

(Agency: Fresno Sheriff's Department
Agency Report Number: 12-23218)

A1 SB Other \$ 14,000

A2 SB Other \$ 22,000

A3 SB Other \$ 15,000

The People of the State of California upon oath of the undersigned, and upon information and belief, complain against the defendants named above for the following crimes:

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COUNT 1

On or between December 11, 2012 and February 16, 2013, in the above named judicial district, the crime of ACCESSORY, in violation of Penal Code section 32, was committed by SHELDON KYLE SCARBER, GAIL LYNNE SCARBER, and CRYSTAL DIANE REYNOSO, who unlawfully, having knowledge that Spencer Scarber had been charged with the crimes of rape in violation of Penal Code section 261(a)(2), sexual penetration by force in violation of Penal Code section 289(a)(1), burglary in violation of Penal Code section 459, and robbery in violation of Penal Code section 211, all felony offenses, did harbor, conceal, or aid Spencer Scarber with the intent that he might avoid or escape from arrest, trial, conviction, or punishment of said felony or felonies.

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COUNT 2

On or between December 11, 2012 and February 16, 2013, in the above named judicial district, SHELDON KYLE SCARBER, GAIL LYNNE SCARBER, and CRYSTAL DIANE REYNOSO, committed the crime of CONSPIRACY, a violation of Penal Code section 182 (a)(1), a felony, in that they did unlawfully conspire together and with Spencer Scarber, to commit the crime of WILLFUL FAILURE TO APPEAR FOR A FELONY CHARGE, in violation of section 1320.5 of the Penal Code, a felony; and that pursuant to and for the purpose of carrying out the objectives and purpose of the aforesaid conspiracy, the said defendant committed the following overt acts;

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OVERT ACT #1

On or about December 12, 2012, defendant, SHELDON KYLE SCARBER, reported to law enforcement that Spencer Scarber was missing and that he was last seen at approximately 1:30 a.m..

OVERT ACT #2

On or about December 12, 2012, one or more persons, staged or assisted in staging, a crime scene.

1 **OVERT ACT #3**

2 On or about December 12, 2012, a vehicle registered to GAIL LYNNE SCARBER and
3 SHELDON KYLE SCARBER entered Mexico from California at 3:24 a.m..

4 **OVERT ACT #4**

5 GAIL LYNNE SCARBER and CRYSTAL DIANE REYNOSO returned to California from
6 Mexico using the San Ysidro pedestrian border crossing at 4:44 a.m. on December 12, 2012.

7 **OVERT ACT #5**

8 On or between December 11, 2012 and December 19, 2012, one or more persons ran
9 computer searches for information on Mexico and crossing the border.

10 **OVERT ACT #6**

11 On or about February 15, 2013, GAIL LYNNE SCARBER, purchased two prepaid
12 international telephones at Target.

13 **OVERT ACT #7**

14 On or between December 11, 2012 and February 15, 2013, one or more persons altered
15 birth certificates to depict the name Brandon Smith.

16 **OVERT ACT #8**

17 On or between December 11, 2012 and February 15, 2013, one or more persons
18 manufactured or had manufactured, a fraudulent Texas Driver's license bearing the name
19 Brandon Smith.

20 **COUNT THREE**

21 On or between December 12, 2012, and February 15, 2013, in the above named judicial
22 district, the crime of WILLFULLY FAILING TO APPEAR IN COURT in violation of Penal
23 Code section 1320.5, a felony, was committed by SHELDON KYLE SCARBER, GAIL LYNNE
24 SCARBER and CRYSTAL DIANE REYNOSO, who aided and abetted Spencer Scarber in
25 willfully failing to appear in court, knowing that he was charged with a felony, to wit: rape,
26 sexual penetration, burglary and robbery, and released on bail.

1 **COUNT FOUR** Δ2

2 On or about February 15, 2013, in the above named judicial district, the crime of
3 MANUFACTURING A FALSE OR COUNTERFEIT CERTIFICATE OF BIRTH, in violation
4 of Penal Code section 529a, a felony, was committed by GAIL LYNNE SCARBER, who did,
5 knowing the document to be false or counterfeit, and with the intent to deceive, manufactured or
6 produced a certificate of birth.

7 **COUNT FIVE** Δ2

8 On or about February 15, 2013, in the above named judicial district, the crime of
9 FORGERY, in violation of Penal Code section 470, subdivision (b), a felony, was committed by
10 GAIL LYNNE SCARBER, who did, with the intent to defraud, counterfeit or forge the seal of the
11 Orange County Recorder.

12 **COUNT SIX** Δ1

13 On or about December 12, 2012, in the above named judicial district, the crime of FALSE
14 REPORT OF A CRIMINAL OFFENSE, in violation of Penal Code section 148.5, subdivision
15 (a), a misdemeanor, was committed by SHELDON KYLE SCARBER, who did report to the
16 Fresno County Sheriff's Department that a felony or misdemeanor had been committed, knowing
17 the report to be false.

18 I declare under penalty of perjury that the foregoing is true and correct.

19 Executed this 19th day of March, 2013, at Fresno, California.

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21 
22 Leanne Le Mon
23 Deputy Attorney General

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26 DEPUTY CLERK

